

covering the invention, and explained the concerns for potentially freezing temperatures. The invention identifies the critical parameters where if a threshold is reached, the water flow turns off. Specifically, if the water falls to a temperature of about 38° F, if a higher pressure is detected due to freezing, water flow is turned off. The cited prior art does not teach such protective system.

### REMARKS

All of the pending claims hereof have been amended in an earnest effort to bring out the essence of the invention, where the amendments are believed to be appropriate and do not introduce new matter to the application.

All of the rejected claims stand rejected over the patent to Faulk (USP No. 5,568,825) under the provisions of 35 U.S.C. 102 and 103, alone or in combination with secondary references.

Faulk, as reiterated to the Examiner at the conference, relates to a system for detecting leakage and unwanted flow in a fluid supply within a building capable of detecting small leaks and shutting off flow when a leak occurs. This is a system to maintain the integrity of the system for certainly water leaks can be very damaging to a structure. Contrary to the Examiner's assertions, this is not a system to monitor and control water flow and consumption. One system monitors water flow and consumption, while the other monitors leakage. They may well be two systems that can work in tandem, but they are not the same nor are they concerned with the same problems. All the pending claims of this invention now are clear as to the purpose hereof, namely, "a system for monitoring and controlling water flow and consumption in a water-based system, specifically water temperature and water pressure, wherein said water flows through a conduit from a water supply to at least one component in which water flow is an operating condition of said at least one said component." If a threshold level is reached as to the water temperature or water pressure is reached, the system is cut off. Faulk does not teach a "system for monitoring and controlling water flow and consumption". At best, Faulk teaches a system that monitors leaks and reacts to shut off the system when a leak is detected.


It is submitted that Faulk does not even remotely teach nor suggest the system of the present invention, and that the remaining secondary patents can not fill the voids left by Faulk. An allowance of claims 1, 3 - 7, 9 - 18 and 20, along with previously allowed claim 19, are believed to be in order, and such action is requested. To the extent that further discussing may be required, Applicant looks forward to the conference on November 13th.

The patents to Williams et al. (USP No. 5,956,248) and Papadopoulos et al. (USP No. 6,061,603) were cited in conjunction with Faulk, discussed above. Applicant submits that these additional references do not overcome the shortcomings of Faulk to anticipate the claimed invention. Williams et al. relates to an irrigation system and not a system for monitoring and controlling water flow, for a structure. While such reference may disclose certain components, such as a sensor etc., Williams et al. does not teach how to incorporate them into Faulk to anticipate the present invention. The same can be said for Papadopoulos et al. The patent covers a system for remotely accessing an industrial control system - a system totally unrelated to that of Applicant. There is just nothing here to be incorporated into Applicant's invention in a manner to anticipate the claims hereof. It is thus requested that the Examiner carefully consider the arguments above and allow the claims hereof.

Should any issues still remain, Examiner Masinick is invited to call the undersigned Agent at

(850) 236-0548.

Respectfully submitted,  
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Encl: Status of claims 1 -20